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1947

MONTANA
State Board of Health

FOOD AND DRUG DIVISION

Food and Drug Laws
Rules and Regulations



July, 1947



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State Board of Health

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Montana Pure Food and Drug Act

2578. Adulterated or Misbranded Drugs and Food.—Unlawful Manufacture or Sale.

It shall be unlawful for any person, persons, firm or corporation, within this State, to manufacture for sale, within this State, sell, offer for sale or have within his or their possession with the intent to sell within this State any drugs or article of food which is adulterated or misbranded within the meaning of this Act. The term "drug" as used in this Act, shall include all medicines or preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation or prevention of disease of either man or animals. The term "food," as used in this Act, shall include all articles used as food, drink, confectionery or condiment by man or animals, whether simple, mixed or compound.

2579. What Deemed Adulterated.

For the purpose of this Act an article shall be deemed as adulterated in case of drugs:

First. When a drug is sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, if it differs from the standard strength, quality or purity, as determined by the test laid down in the United States Pharmacopoeia or National Formulary, official at the time of investigation; provided, that no drug shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle, box or other container thereof, although the standard may differ from that determined by the test laid down in the United States Pharmacopoeia or National Formulary.

Second. If its strength or purity fall below the professed standard or quality under which it is sold.

In the case of foods:

First. In the case of confectionery, if it contains terra alba, barytes, talc, chrome yellow, or other mineral substances or poisonous color or flavor, or other ingredients deleterious or detrimental to health, or any vinous, malt, or spiritous liquor or compound or narcotic drug.

Second. If any substance or substances have been mixed with it, so as to reduce, or lower, or injuriously affect its quality or strength.

Third. If any substance has been wholly or in part substituted for the article.

Fourth. If any valuable constituent has been wholly or in part abstracted from it.

Fifth. If it contains any proportion of a filthy, diseased, decomposed, putrid, or rotten animal or vegetable substance, whether manufactured or not, or in the case of milk, if it is the produce of a diseased animal.

Sixth. If it is mixed, colored, coated, polished, powdered or stained in a manner whereby damage or inferiority is concealed, or whereby it is made to appear better or of greater value than it really is.

Seventh. If it contains any added poisonous or other added deleterious ingredient.

Eighth. If it contains any added antiseptic or preservative substance except common salt, salt peter, cane sugar, beet sugar, vinegar spices, or, in smoked foods, the natural products of the smoking process, or other harmless preservatives whose use is authorized by the State Board of Health, and no preservative shall be used in greater quantity than the rules and regulations of the State Board of Health shall designate.

2582. Weights and Measures—Size of Gallon and Pound.

In case of food sold by weight or measure, all measures shall be in gallons or fractions thereof, a gallon to contain two hundred and thirty-one cubic inches and each fraction of a gallon to contain its corresponding fraction of two hundred and thirty-one cubic inches. Where weights or measures are stated in pounds and ounces, they shall be exclusive of the wrapper or other container and each pound shall contain sixteen ounces, each ounce containing four hundred and thirty-seven and one-half grains. Any person, persons, firm or corporation selling or offering for sale any article of food as a pound, or any multiple thereof, except by actual weight, the net weight of which is less than sixteen ounces, or the proper multiple thereof to represent the number of pounds sold or offered for sale and any person, persons, firm or corporation selling or offering for sale any quantity of food as a gallon, or any fraction thereof, which does not contain two hundred and thirty-one cubic inches net measure or the fraction thereof represented by the fraction of a gallon offered for sale or sold, shall be guilty of a misdemeanor.

2586. Duty of Peace and Health Officers to Seize Unwholesome Food Offered for Sale.

It shall be the duty of all peace or health officers to seize any animal carcass or parts of carcasses or any domestic or wild fowl, eggs, game, fish or other food product found to be unwholesome, and which are intended for sale or offered for sale for human food, or which have been slaughtered or prepared, handled, or kept under insanitary conditions as herein defined, or as the rules and regulations of the State Board

of Health may designate, and shall deliver the same forthwith to and before the nearest police judge or justice of the peace, together with all information obtained; and said police judge or said justice of the peace shall issue warrants of arrest for all persons believed to have violated any provisions of this Act, and said cause shall be tried at an early date thereafter. The said police judge or said justice of the peace shall immediately drench the unwholesome food brought before him with kerosene and require the owner thereof to immediately dispose of the same in a sanitary manner, or he may, in his discretion, order the unwholesome food rendered into grease and tankage.

2587. How Term "Misbranded" Shall Be Understood.

The term "misbranded" as used herein shall apply to all drugs, or articles of food, or articles which enter into the composition of food or drugs, the package or label of which shall bear any statement, design or device regarding such article, or the ingredients or substances contained therein which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the state, territory, or country in which it is manufactured or produced, unless the word "process" or "type" in plain, legible and obvious English print, type or script immediately follows the state, territory, country, locality or brand designated. That for the purpose of this Act an article shall be deemed to be misbranded:

In the case of drugs:

First. If it be an imitation or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed, in whole or in part and other contents differing in quality or quantity from the original contents shall have been placed in such package, or if the package fails to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis, indica, chloral hydrate, acetanilide, phenacetine, antipyrine, or any derivative or any preparation of any such substance contained therein; provided, that said requirements as to statement of contents shall not be operative until on and after January 1, 1912, and provided, further, that the requirements of this section shall not apply to medical prescriptions written by physicians and surgeons, dentists, or veterinary surgeons, nor to extemporaneous preparations dispensed by druggists, nor shall the provisions of this section be construed as prohibiting legally qualified physicians and surgeons, dentists and veterinary surgeons from administering drugs to patients under their care.

In case of foods:

First. If it is an imitation of or offered for sale under the distinctive name of another article.

Second. If it is labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign article when not so, or if the con-

tents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucain, chloroform, cannibis indica, chloral hydrate, acetanilde, phenacetine, or antipyrine, or any derivative or any preparation of any such substance or substances contained therein; provided, that such statement shall not be required as to articles of food in the hands of wholesalers or retailers on or prior to January 1, 1912.

Third. If in the package form, and the contents are stated in terms of weight or measure, they are not plainly and correctly stated on the outside of the package.

Fourth. If the package containing it, or its label, shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular; provided, that an article of food which does not contain any added poisonous or deleterious ingredient shall not be deemed to be adulterated or misbranded in the following cases:

First. In the case of mixtures or compounds which may be now or from time to time hereafter become known as articles of food, under their own distinctive names and heretofore known to the consumer and not an imitation of or offered for sale under the distinctive name or brand of another article, if the name be accompanied on the same label or brand with the statement of the place where said article has been manufactured or produced; provided, further, for the purpose of this Act, a drug or food shall not be deemed misbranded when marked, labeled or tagged with the distinctive trade or commercial name heretofore known to the consumer.

Second. In the case of articles labeled, branded or tagged so as to plainly indicate that they are compounds, imitations or blends, and the word "compound," "imitation," or "blend," as the case may be, is plainly printed on the package in which it is offered for sale; provided, that the term "blend" as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring or flavoring; and provided, further, that in case of spirituous liquors the term "like substances" shall be construed to mean pure distillates of grain or pure distillates of fruit and grain; and provided, further, that nothing in this Act shall be construed as compelling or requiring proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredients to disclose their trade formulas except so far as the provisions of this Act may require to secure freedom from adulteration or misbranding.

2588. When Dealer Not to Be Prosecuted—Guaranties.

No dealer shall be prosecuted under the provisions of this Act for selling or offering for sale any article of food or drugs, as defined herein, when the same is found to be adulterated or misbranded within the meaning of this Act, in the original, unbroken package in which it was

received by said dealer when he can establish a guarantee, signed by the wholesaler, jobber or agent or other party residing in the United States from whom he purchased such articles, or if a proper printed guarantee of the manufacturer with his address be upon the package or container, to the effect that the same is not adulterated or misbranded in the original unbroken package in which the said article was received by said dealer, within the meaning of this Act, designating it, or within the meaning of the food and drug Act, enacted by the Senate and House of Representatives of the United States of America in Congress assembled June 30, 1906. Said Guarantee to afford protection must contain the name and address of the party or parties making the sale of said article to such dealer or of the manufacturer thereof as herein specified, and in such case said party shall be amenable to prosecution, fines and other penalties which would attach in due course to the dealer, under the provisions of this Act.

2589. License From State Board of Health for Manufacturers and Purveyors of Food and Drinks.

It shall be unlawful for any person, persons, firm or corporation to conduct any restaurant, cafe, lunch counter, dining car, manufacturing bakery, manufacturing confectionery, meat market, cannery, soda fountain, ice cream parlor, soft drink establishment or bottling works without having a license issued by the State Board of Health of Montana; provided, that no license shall be required for a dining room, cafe or lunch counter that is operated in connection with and under the same management as a hotel that holds a license from the State Board of Health, or that is subject to the payment of a license fee under the provisions of Chapter 36, Session Laws of 1919, (2485-2498); an annual fee of two dollars shall be required for each license. Licenses shall be made to expire on the last day of December of the current year in which they are issued. Application for licenses shall be made on blanks supplied by the State Board of Health. No license shall be issued to any place of business that is conducted in a grossly insanitary manner.

If as a result of inspection by an authorized representative of the State Board of Health, it is found that any licensed place of business is not conducted within a reasonable degree of compliance with the Rules and Regulations of the State Board of Health, the license may be cancelled by the Secretary of the State Board of Health; provided, that any licensee whose license is so cancelled shall be entitled to a hearing before the State Board of Health to show cause, if any, why his license should not be cancelled. In such case licensee must make written request to the Secretary of the State Board of Health for a hearing within five days after notice has been received that his license has been cancelled.

Fees collected by the State Board of Health for licenses issued shall be transmitted to the State Treasurer and placed to the credit of the General Fund as provided by law.

2590. Effective Date of Act.

This Act shall be in full force and effect on and after its passage

and approval, provided that fees for licenses shall not be required until the year beginning January 1, 1922.

2591. Duties and Powers of State Board of Health.

It shall be the duty of the State Board of Health to enforce the provisions of this Act. They shall, through their secretary and through local and county health officers, make all necessary investigations and inspections in reference to all food and drugs, and for this purpose the state, county and local health officers shall be food and drug inspectors for their respective districts; each local and county health officer shall make regular inspections as the rules and regulations of the State Board of Health may direct, and such special inspections as said Board of Health may from time to time order made, and he shall make such reports relative to conditions existing within his district at such times and in such manner as the State Board of Health may direct. Should any health officer fail, neglect or refuse to make any such regular or special inspection or fail to make any report in the manner and at the time designated by the State Board of Health, or should he make a false report of any condition that may exist within his district, the State Board of Health shall notify the mayor of the city or town, in the case of a local health officer or the chairman of the Board of County Commissioners, in the case of a county health officer, of such negligence on the part of such health officer, and said State Board of Health may, in their discretion, order the removal from office of such delinquent health officer, and when such an order is issued by the State Board of Health, the mayor of the city or town in the case of a local health officer, or the Board of County Commissioners, in the case of a county health officer, shall immediately declare the office of health officer vacant and shall appoint another competent and qualified physician and surgeon to fill the office.

The State Board of Health shall adopt all needful rules and regulations for the thorough and uniform enforcement of the provisions of this Act throughout the State, and shall adopt and promulgate rules and regulations relative to the sanitary management of all places designated in Section 2589 of this Act, and they shall adopt rules regulating the minimum standards for foods and drugs, defining specific adulterations and declaring proper methods of collecting and examining all drugs and articles of food, and the violation of any such rule or regulation shall be punished, on conviction, as set forth in Section 2594 of this Act; provided, that such rules and regulations made and promulgated by the State Board of Health shall at all times conform to the rules and regulations of the National Food and Drug Commission made under the Food and Drugs Act of June 30, 1906.

It shall be the duty of the State Board of Health at the instance of any person, firm or corporation, or on their own volition to examine, analyze, and determine the purity, branding and labeling of any food or drug placed upon the market or offered for sale in the State of Montana, and if found legal, they shall certify to the individual firm or corporation manufacturing, selling or offering for sale such food or drug that such food or drug is legal.

No prosecution shall follow until such time as the individual, firm or corporation has been notified by the State Board of Health wherein any food or drug fails to meet the requirements of the rules and regulations of the State Board of Health, and such time to remedy the failure as the State Board of Health may rule.

All state, local and county health officers are hereby authorized to enter any premises where any article of food or drug is sold, offered for sale, manufactured, cooked, stored or treated in any way, for the purpose of inspecting such premises and the manner in which such food or drug is handled.

2592. Samples of Food and Drugs for Analysis.

Every person offering or exposing for sale or delivering to a purchaser any drug or article of food included in the provision of this Act, shall furnish to any inspector or other officer or agent appointed hereunder, who shall apply to him for the purpose and shall tender to him the value of the same, a sample sufficient for analysis of any drug or article of food which is in his possession. Whoever hinders, obstructs or in any way interferes with an inspector or other officer or agent appointed hereunder, in the performance of his duty, shall upon conviction, be fined in any sum not less than ten dollars nor more than one hundred dollars.

2593. Chemist of State Board of Health.—Duties.

The Director of the Food and Drugs Division of the State Board of Health shall be a qualified chemist and all chemical analyses required in the enforcement of the Food and Drugs Act shall be made in the Food and Drugs Laboratory at Helena and by or under the direction of said chemist.

2594. Violations of Act.—Penalties.

Except as elsewhere provided in this Act, any person, persons, firm or corporation violating any of the provisions of this Act shall, upon conviction of the first offense, be punished by a fine of not less than twenty-five dollars nor more than seventy-five dollars; for the second offense, by a fine of not less than fifty dollars nor more than two hundred dollars; and for the third and subsequent offenses by a fine of not less than one hundred dollars and imprisonment in the county jail for not less than thirty nor more than ninety days, and all fines collected for violations of this Act shall be paid to the county treasurer of the proper county who shall remit the same to the state treasurer of the State of Montana, and said moneys shall be placed to the credit of the State Board of Health maintenance fund.

2595. Duty of County Attorney to Prosecute. Report of Chemist Presumptive Evidence.

Whenever the State Board of Health shall furnish evidence to the County Attorney of any county in this State, such County Attorney shall prosecute any person, persons, firm or corporation violating any provision of this Act, or any rule or regulation made by the State Board of

Health in conformity with the provisions of this Act, and the report of the chemist of the Food and Drug Division of the State Board of Health, stating that any drug or food examined by him is found to be impure or below the standard required by the provisions of this Act, or the rules and regulations of the State Board of Health, shall be taken as presumptive evidence of the impurity of such drug or article of food.

2596. Limit to Rules Promulgated by State Board of Health.

No rules or regulations shall be promulgated by the State Board of Health under the provisions of this Act which do not conform to the rules and regulations promulgated or to be hereinafter promulgated by the National Government under the Food and Drugs Act of Congress, of June 30, 1906; and no article of foods or drugs shall be deemed to be adulterated, misbranded or otherwise subject to the provisions of this Act when such article of food or drugs conforms to the rules and regulations of the United States government under any National Act or Acts.

2597. Sale of Food Containing Saccharin Prohibited.

It shall be unlawful for any person, persons, firm or corporation within the State of Montana, knowingly, to manufacture, sell, offer for sale, or have within his or their possession with the intent to sell, any beverage or article of food which contains saccharin.

2598. Food Defined.

The term "food," as used in this Act shall include all articles used for food, drink, confectionery or condiment by man or animals, whether simple, mixed, or compound, and all substances or ingredients used in the preparation thereof.

2599. Penalty for Violation of Act.—Disposal of Fines.

Any person who violates provisions of this Act shall be guilty of a misdemeanor and upon conviction, for the first offense, shall be punished by a fine of not less than twenty-five dollars nor more than seventy-five dollars, and for the second offense by a fine of not less than fifty dollars nor more than two hundred dollars and for the third and subsequent offenses by a fine of not more than one hundred dollars and imprisonment in the county jail for not less than thirty days nor more than ninety days. All fines collected for violations of the provisions of this Act shall be paid to the county treasurer of the proper county, who shall remit the same to the State Treasurer of the State of Montana, and said moneys shall be placed to the credit of the General Fund as provided by law.

MISCELLANEOUS LAWS

Section 11240. Every person who, in putting up in any bag, bale, box, barrel or other package, any hops, cotton, wool, grain, hay or other goods usually sold in bags, bales, boxes, barrels or packages, by weight, puts in or conceals therein anything whatever, for the purpose of increasing the weight of such bag, box, barrel or package, with

intent thereby to sell the goods therein or to enable another to sell the same, for an increased weight, is punishable by a fine of not less than twenty-five dollars (\$25.00) for each offense.

Section 11241. Every person who adulterates or dilutes any article of food, drink, drug, medicine, spirituous or malt liquor or wine, or any article used in compounding them with a fraudulent intent to offer the same or cause or permit it to be offered for sale as unadulterated or undiluted, and every person who fraudulently sells, or keeps or offers for sale the same, as unadulterated or undiluted, is guilty of a misdemeanor.

Section 11242. Every person who sells or keeps for sale, or otherwise disposes of any article of food, drink, drug, or medicine, knowing that the same has become tainted, decayed, spoiled, or otherwise unwholesome, or unfit to be eaten or drunk, with intent to permit the same to be eaten or drunk is guilty of a misdemeanor.

Section 11245. If a proprietor, manager or other person having the management of any hotel, restaurant, or boarding house in the State of Montana shall serve or cause to be served upon the tables to his or their guests any article of food known to said proprietor or manager of said hotel, restaurant, or boarding house, to be adulterated, he shall be guilty of a violation of this Act, unless he or they shall have posted, hung up, and maintain in a conspicuous place in full view of his or their guests, a large red cardboard sign, the size of which shall be twelve inches in width, the words thereon in large, bold, black letters of the size of not less than seventy-two point type, "We Serve on Our Tables No Food Stuffs Which Have Been Harmfully Adulterated." Be it further provided, that the original labels shall always be maintained, and kept upon the can, carton, box, bottle, barrel or other receptacle containing any such goods which may be used for foods, until all of the contents of such cans, boxes, cartons, bottles, barrels or any other receptacle containing any foodstuffs shall have been used or totally destroyed.

Section 11246. For failure to put up and maintain such cards continuously in said public offices and dining rooms heretofore mentioned or to maintain the labels as this Act directs, the proprietor, or manager guilty of such failure shall be guilty of a violation thereof, the penalty for which shall be for the first offense a fine of \$200.00 and costs of court for the prosecution of the said case; for the second offense a fine of \$300.00 together with court costs and a term of not less than three months, nor more than six months in the county jail; for the third offense a fine of \$600.00 and court costs and a term in the state prison for a period of not less than one year nor more than three years.

Section 11247. Any canned goods or foodstuffs purchased at the stores in Montana, or from any wholesale or retail stores in the United States which are labeled as being adulterated and served to their guests or stored upon the premises occupied by them shall be prima facie evidence of the guilt of such hotel, restaurant, or boarding house proprietor or manager if such cards are not displayed as heretofore directed. Any state chemist or any sheriff or any of his deputies shall at all times have free and peaceable access during business hours in the storeroom,

kitchen, or any other place where foods are stored or kept by the proprietor or manager aforesaid, for the purpose of ascertaining the quality and brands of the goods used by said proprietor or manager.

STANDARD WEIGHT OF BREAD

4273. Weight Requirements for Sale of Bread.

From and after the passage of this Act it shall be unlawful for any person or persons, association, co-partnership, or corporation to manufacture for retail or wholesale trade, or to sell bread, unless the same shall be of the following weights, which shall be net weights eight hours after baking: One pound, one and one-half pounds, two pounds, three pounds, four pounds, five pounds, six pounds or other multiple pound weights; variation at the rate of one ounce per pound over and one ounce per pound under the above specified unit weights are to be permitted in individual loaves, but the average weight of not less than twenty-five loaves of any one unit or any one kind shall be not less than the weight prescribed for such unit, and if twin or multiple loaves are wrapped at the place where baked or sold to the consumer wrapped and undivided, said loaf must conform to the above weight requirements, and if the twin or multiple loaf is unwrapped or divided before being sold to the consumer, each unit of the loaf must conform to the above weight requirements; provided, that this Act shall not apply to persons, firms, or corporations who do not hold themselves out to the public, and engaging in a general and established business of manufacturing or selling bread and bread products.

4274. Definitions—Conditions Under Which Bread May Be Sold.

In construing provisions of the preceding section the following definitions shall be had: A twin or multiple loaf is one that is made of two or more portions of dough baked in one pan; single units weighing less than one pound must not be baked; a manufacturer or seller of loaves of the weights prescribed may cut and sell a portion of a loaf to a consumer; bread may be sold at any time after baking, and it shall not be required that bread shall remain unwrapped for any specified length of time after baking.

4275. Return or Repurchase of Bread Prohibited.

It shall be unlawful for any person or persons, association, copartnership, or corporation engaged in the manufacture for sale, or the sale of bread, to directly or indirectly accept return of bread theretofore sold, nor repurchase the same, nor allow credit to any one for the same; nor shall any bread previously sold be exchanged for other bread.

4276: Penalty for Violation of Law.

Any such manufacturer or seller violating any of the provisions herein contained shall be liable to a fine of not less than ten dollars nor more than one hundred dollars for each and every offense, and each separate sale or violation of any of the provisions of this Act shall constitute a separate offense.

REGULATIONS FOR BAKE SHOPS.

Regulation 10.

Any room in which any dough, pastry or other food product is prepared for baking must be well ventilated and lighted. The floors must be of a cement, tile, oiled wood or other impervious material. The walls and ceiling must be painted or lime washed. Walls, ceilings, floors, boxes, pans, machines, and all other utensils used in mixing, baking, or in handling in any way bread, cake, pies, doughnuts, or other food products must be kept in a clean and wholesome condition at all times. No closet or lavatory shall be directly connected with the working room of any bake shop.

Regulation 11.

Before beginning work and before preparing and mixing the ingredients, all persons engaged in the work must wash their hands and arms thoroughly in clean water. For this purpose sufficient wash basins, together with soap, pure water and clean towels must be provided.

Regulation 12.

Persons employed in the establishment must, while working, wear clean clothing, preferably white suits.

Regulation 13.

No person having any communicable disease and no person who has been exposed to any contagious or infectious disease shall be employed in or permitted to work in any bakery until such person presents a written statement from a health officer showing that he has been properly disinfected and that there is no longer any danger of his transmitting a communicable disease.

Regulation 14.

During the fly season all windows, doors and other outside openings must be screened with wire gauze of not coarser than 14 mesh.

Regulation 15.

The supplies must be stored in dry places where they are protected from all contamination. Water used to coat the bread must be provided fresh each day and must come from an uncontaminated source.

Regulation 16.

(a) The bread, pastry and other food products must at all times be handled in a clean and sanitary manner and must be protected from flies and other sources of contamination.

(b) Bread shipping boxes if stored outside of buildings shall be kept on platforms or other devices at least 18 inches above the ground.

Regulation 17.

It is strictly forbidden for any person to sit or lie on any of the tables, shelves or other equipment, which are intended for the dough or

baked articles. Chairs and benches in sufficient number must be provided to sit on.

Regulation 18.

(a) The working room must be furnished with cuspidors at least one in each room, which must be cleaned daily. Spitting on the floor is forbidden. Smoking in the working rooms is prohibited.

(b) Sweeping in any working room, storeroom, or other room connected with any bake shop where bread, pastry and other food products are prepared, handled or stored without first sprinkling the floor with water, moist sawdust, sweeping compound or other substance to prevent the raising of dust, is strictly forbidden.

Regulation 19.

Working rooms must not be used for any purpose other than those strictly connected with the preparing and baking of food.

Regulation 20.

Domestic animals must not be allowed in the bake shop.

Regulation 21.

(a) Any bread, pastry, or other bake shop product showing dirt or filth shall be deemed as an impure food product, the sale of which is prohibited by law.

(b) Transportation of any bread, pastry, or other bakery food product for subsequent display or sale is prohibited unless said bread, pastry, or other bakery food product is wrapped or packaged in such a manner as to adequately protect the said bread, pastry or other bakery food product from dust, dirt, flies, and other extraneous material.

Regulation 22.

All refrigerators and ice boxes must at all times be kept in a clean and sanitary condition and free from foul odors. Milk stored in refrigerators must be so placed that it will not absorb odors from other food products stored therein. Nothing but foods or food products shall be placed in any such refrigerators.

Regulation 23.

All store rooms in which food products are stored must be well lighted and ventilated and at all times be kept in a thoroughly clean and sanitary condition, so screened that the flies cannot secure access thereto and kept free from any foul odor.

Regulation 24.

Bread labeled or offered for sale as "rye bread," "whole wheat bread," or other name indicating a special kind of flour which is not entirely from rye flour, whole wheat flour or other flour indicated by the name used in the sale of the bread shall be deemed as misbranded unless the word "compound" or "mixture" is used on the label or in designating the character of the bread.

Regulation 25.

All bakeries must be inspected each month by the local, county or reservation health officer or his deputy, and when inspected must be scored according to the score card, which is a part of these regulations.

Regulation 26.

These regulations must be posted in a conspicuous place in every bake shop or bakery.

REGULATIONS FOR MEAT CARTS AND MEAT MARKETS

Regulation 40. *

Carts or vehicles in which meat or meat food products are transported, peddled or delivered shall be so constructed as to protect the meat from contamination by flies, dust or other extraneous matter; and the boxes or beds of such carts or vehicles must be washed daily, if used, and maintained in a clean and sanitary condition.

Regulation 41.

Meat, whether entire carcasses, quarters, or cuts thereof, shall not be transported by team, wagon or otherwise, unless covered by clean white cloths or other material equally impervious to dust or other extraneous matter and in such manner as to protect it from contamination by flies, dust or other extraneous matter.

Regulation 42.

Meat markets, fish markets, butcher shops or stalls shall be completely screened as a protection against flies, the floor shall be thoroughly scrubbed once each day and scraps of meat, offal, bones, and other refuse or organic matter shall not be left exposed to the atmosphere of the room, but must be kept in a closed receptacle, which must be emptied once daily. Meat, meat food products, and fresh fish or fresh fish products shall not be kept exposed to the air, except in such quantities as are needed for immediate use, but shall be kept in an adequate refrigerator or ice chest; under no circumstances shall meat, meat food products, fresh fish or fresh fish products, be exposed outside of the screened room; all tainted meat and fish shall be removed from the premises at once.

Regulation 43.

All trays, counters, racks, tables, blocks, or other equipment shall be thoroughly scraped and cleaned at least once each day and as much oftener as may be necessary to keep them in a clean and sanitary condition; all knives, saws, cleavers and other tools and all utensils and machinery used in moving, handling, cutting, chopping, mixing, canning or other process shall be thoroughly cleaned and washed in boiling water daily.

Regulation 44.

(a) The room or compartment in which meat or meat food products are prepared, cured, stored, packed or otherwise handled shall be prop-

erly lighted and ventilated, and shall be so located that odors from toilet rooms or catch basins, tank rooms, hide cellars, etc., do not permeate them. All rooms or compartments shall be provided with cuspidors, which employees who expectorate shall be expected to use. Where meat food products are prepared in a market, i.e., sausages, lard, pickled pork, beef, etc., a separate room properly lighted, ventilated, screened and supplied with pure water shall be provided for this purpose exclusively with the exception that sausage may be ground in the market proper, when such grinding is done under thoroughly sanitary conditions.

(b) Sweeping in any room or compartment in which meat or meat food products are prepared, cured, stored, packed or otherwise handled is, unless the floor is first sprinkled with water, moist sawdust, sweeping compound or other substance to prevent the raising of dust strictly prohibited.

(c) No hides of animal shall be stored or kept in any compartment with fresh meat or meat food products unless they are kept in a tight container, and such hides where stored with fresh meat products shall be thoroughly washed and cleansed.

(d) Domestic animals must not be allowed in any meat market.

Regulation 45.

All ice used in contact with any meat or meat food products must be pure and free from pollution and must have been made from unpolluted water.

Regulation 46.

All meat markets shall be inspected each month by the local, county or reservation health officer or his deputy, and when inspected must be scored according to the score card which is a part of these regulations.

Regulation 47.

These regulations must be posted in a conspicuous place in every market.

REGULATIONS FOR CONFECTIONERY SHOPS

Regulation 48.

Any room in which any confectionery product is prepared must be well lighted and ventilated. The floors must be of cement, tile, oiled wood, or other impervious material. The walls and ceiling must be painted or lime washed. Walls, ceilings, floors, boxes, pans, machines, and all other utensils used in mixing, or in handling in any way any confectionery product must be kept in a clean and wholesome condition at all times. No water closet shall be directly connected with the working room of any confectionery shop or factory.

Regulation 49.

Before beginning work and before preparing and mixing the ingredients, the persons engaged in the work must wash their hands and

arms thoroughly in clean water. For this purpose sufficient wash basins, together with soap, pure water and clean towels must be provided.

Regulation 50.

Persons employed in the establishment must, while working, wear clean clothing, preferably white suits.

Regulation 51.

No person having any communicable disease and no person who has been exposed to any contagious or infectious disease shall be employed in or permitted to work in any confectionery shop or factory until such person presents a written statement from a health officer showing that he has been properly disinfected and that there is no longer any danger of his transmitting a communicable disease.

Regulation 52.

During the fly season all windows and doors must be protected from flies by the use of screens made from not coarser than 14 mesh wire gauze.

Regulation 53.

The supplies must be stored in dry places, where they are protected from all contamination.

Regulation 54.

The confectionery products must at all times be handled in a clean and sanitary manner and must be protected from flies and other sources of contamination.

Regulation 55.

It is strictly forbidden for any person to sit or lie on any of the tables, shelves, or other equipment, which are intended for confectionery. Chairs and benches in sufficient number must be provided to sit on.

Regulation 56.

(a) The working rooms must be furnished with cuspidors, at least one in each room, which must be cleaned daily. Spitting on the floor is forbidden. Smoking in the working rooms is prohibited.

(b) Sweeping in any room or compartment in which any confectionery product is prepared, stored, packed, or otherwise handled is, unless the floor is first sprinkled with water, moist sawdust, sweeping compound or other substance to prevent the raising of dust, strictly forbidden.

(c) Domestic animals must not be allowed in any manufacturing confectionery.

Regulation 57.

(a) Working rooms must not be used for any purposes other than those strictly connected with the preparing of confectionery.

(b) Domestic animals must not be kept in the confectionery shop or factory.

Regulation 58.

Any confectionery showing dirt or filth shall be deemed as an impure food product, the sale of which is prohibited by law.

Regulation 59.

All confectionery shops and factories shall be inspected each month by the local, county or reservation health officer or his deputy, and when inspected must be scored according to the score card, which is a part of these regulations.

Regulation 60.

These regulations must be posted in a conspicuous place in every confectionery shop or factory.

REGULATIONS GOVERNING BOTTLING WORKS

Regulation 61.

(a) Floors, walls and ceilings of all rooms wherein beverages are prepared shall be kept clean and in good condition. Floors shall be constructed of material impervious to water and provided with proper sewage connections to facilitate cleaning.

(b) All outside doors, windows and other openings shall be fitted with self-closing screen doors and wire window screens of not coarser than 14 mesh wire gauze during the fly season.

(c) All utensils used in manufacturing beverages shall be thoroughly cleaned after each use thereof and when not in use shall be properly protected from dirt, insects and rodents.

(d) No person suffering from any communicable disease shall be employed in any capacity in any bottling works.

(e) Any person who has been afflicted with typhoid fever shall not be employed in any bottling works until it has been definitely determined that such person is not a "typhoid carrier."

(f) Every such plant shall be provided with a toilet room and a wash room conveniently located for the use of the employees. Each wash room shall be provided with clean running water, soap and clean towels and employees shall after visiting the toilet, wash their hands and arms with soap and water.

(g) All water used in the manufacture of beverages or in the washing of utensils shall be from a supply which has been approved by the State Board of Health.

(h) Persons employed in the establishment must, while working wear clean clothing, preferably white.

(i) All bottles used for bottling carbonated beverages or still drinks shall, before being filled, be exposed to an alkali solution of not less than 2 per cent caustic for a period of not less than five minutes at a temperature of not less than 130 degrees F. or to an equivalent cleansing and sterilizing process.

(j) The strength of caustic must be determined each day when in use and must be maintained at all times above 2 per cent caustic when in use by addition of cleansing compound. The cleansing solution should be completely changed at frequent intervals to prevent accumulation of sediment.

(k) Sweeping in any room where beverages are bottled or where the ingredients are prepared is, unless the floor is first sprinkled with water, moist sawdust, sweeping compound, or other substance to prevent the raising of dust, strictly forbidden.

(l) Domestic animals must not be allowed in any bottling works.

Regulation 62.

(a) A separate store room shall be provided for all syrups, sugars, extracts and other materials used in the preparation of beverages. Such store rooms shall be constructed in a manner which will at all times protect stock materials from contamination and unnecessary deterioration.

(b) The use of non-injurious vegetable colors is permitted. In the case of coal tar dyes, those certified dyes may be used which are declared permissible in foods according to the Rules and Regulations of the Federal Food and Drug Administration as provided under the Federal Food, Drug, and Cosmetic Act of 1938.

(c) The use of saccharin in any article of food or drink is prohibited.

(d) The use of any cap or stopper which permits metal to come in contact with the contents of a bottle is prohibited.

Regulations 63.

(a) The following information shall appear upon the principal label: First, name of manufacturer; second, place manufactured; third, net content in terms of fluid ounces.

(b) Any soft drink, soda water, carbonated or non-carbonated beverage, except pure, non-alcoholic fruit juices, shall be a beverage prepared from pure flavoring materials, with or without added fruit acid, with or without added color, potable water, and shall contain in the finished product not less than eight (8%) per cent pure cane or beet sugar or corn sugar (dextrose), except ginger ale, which must contain not less than six (6%) per cent sugar. The provisions of this regulation shall not apply to beer, non-alcoholic beverages made in imitation of beer, bitter drinks, or other similar preparations.

Regulation 64.

(a) All bottling works shall be inspected by the local, county or reservation health officer or his deputy and when inspected must be

scored according to the score card which is a part of these regulations.

(b) These regulations must be posted in a conspicuous place in every bottling works.

REGULATIONS FOR CANNERIES

Regulation 106.

The term "cannery" as used in the regulations of the State Board of Health is held to mean a factory, including all buildings, premises and stations where food for human consumption, except milk and milk products is prepared commercially, sterilized by heat and preserved in hermetically sealed containers.

Regulation 107.

(a) All grounds on which canning factories, warehouses, viners and other buildings used are located, must be properly graded to provide a natural drainage, thus preventing accumulation of stagnant water and other material.

(b) No litter, waste or refuse shall be allowed to accumulate in or around the buildings or yards.

Regulations 108.

Weeds should be removed, grasses kept cut and roadbeds properly built and maintained. An application of road oil is recommended where such road is in close proximity to the rooms in which picking tables are located or the rooms in which blanchers and fillers are located, thus preventing dust.

Regulation 109.

All water used on the premises for drinking, cleaning, washing or other purposes must be safe and wholesome for the purposes for which it is to be used.

Regulation 110.

(a) All canneries shall be well lighted and ventilated. When natural light and ventilation are insufficient, provision shall be made to supply sufficient light and ventilation artificially. All floors, walls, ceilings, tables and other fixtures shall be maintained in such condition that they may readily be made clean and sanitary. The floors of all rooms used for manufacturing shall be water tight and where it is necessary for drainage, shall have sufficient pitch to insure proper drainage. Floors must be constructed of cement, tile, oiled wood or other impervious material. When and where necessary for the protection of employees, portable or loose floor gratings shall be provided around blanchers, washers and other places where overflow is unavoidable. Ceilings or other overhead covering shall be dust proof. Walls and ceilings shall be smooth and kept in good condition. Where not constructed with glazed tile, walls and ceilings shall be kept well painted with light colored paint.

(b) Windows and window ledges, beams and all other places where dust and dirt may accumulate shall be kept clean.

(c) Domestic animals must not be allowed in any cannery.

Regulation 111.

Fixtures, utensils, and other apparatus used in the manufacture, handling or storing of canned food shall be kept clean. Every factory using brine or syrup shall be equipped with a separate room in which all syrups or brines shall be mixed or compounded. Such syrup or brine room shall be separated from the rest of the factory by a tight partition and shall be well lighted, ventilated and screened.

Regulation 112.

All machinery, conveyors, picking tables, hoppers and other equipment with which the uncanned product comes in contact must be so arranged as to be easily accessible for cleaning.

Regulation 113.

All machinery, conveyors, picking tables, pea boxes, buckets or baskets, hoppers and all equipment with which the uncanned product comes in contact must be kept clean. Where necessary to prevent insanitary conditions, steam must be used in cleaning in connection with water.

Regulation 114.

All equipment shall be cleaned as soon as practical at the close of each day's operation and oftener if necessary to prevent insanitary conditions.

Regulation 115.

An ample supply of steam and water, hose and other equipment necessary for proper cleaning of equipment must be available. All equipment must be placed in good repair before the beginning of the season's operation and maintained in such repair throughout the season.

Regulation 116.

No person afflicted with infectious or contagious disease or with infected wounds shall be employed.

Regulation 117.

(a) Spitting on the floors or walls of factories is prohibited. No person shall, nor shall be permitted to smoke, chew or snuff tobacco while at work in the handling or preparing of food or containers, nor in any room used in the preparation of food during working hours.

(b) Sweeping in any room or compartment where food or food products, syrups or brines are prepared for any canning process is, unless the floor is first sprinkled with water, moist sawdust, sweeping compound or other substance to prevent the raising of dust, strictly forbidden.

Regulation 118.

Employees handling food products shall wear clean, washable cloth-

ing or aprons. Women shall wear clean caps over their hair, either of paper or washable material. Caps of open material, or hair nets will not meet the above requirements.

Regulation 119.

Employees handling food shall keep their hands and finger nails as clean as the nature of their work will permit. Such employees shall wash their hands before beginning work and after leaving the toilet. Suitable notice to this effect shall be posted in a conspicuous place.

Regulation 120.

Separate dressing rooms shall be provided for each sex where a change of clothing for work is necessary or usual. A suitable place with hangers or well ventilated lockers shall be provided for clothing not in use. Every dressing room shall be properly lighted, ventilated, and heated.

Regulation 121.

Common drinking cups shall not be used. Individual drinking cups or sanitary drinking fountains shall be provided in convenient locations.

Regulation 122.

Where sewage disposal facilities are available, sanitary water flushed toilets shall be provided. Separate toilets shall be provided for each sex. At least one toilet seat should be provided for every twenty factory employees. The floors shall be tight and of such material that they can be washed and kept clean. The doors shall be made self-closing and shall be so arranged that the seats cannot be seen from the outside. The toilets shall be well lighted and ventilated to the outside air, and windows and ventilators shall be screened against flies. Each toilet seat shall preferably be in a separate compartment, the partition of which shall be not less than 5½ feet high and shall be at least one foot above the floor. Walls, partitions, and toilet seats, if constructed of wood, shall be covered with a non-absorbent, light colored paint or varnish. Sanitary toilet paper shall be provided. Urinals shall not be constructed except within toilets or in a separate room or building, screened as provided for in the case of the toilet proper.

Regulation 123.

Outside closets shall be sufficiently removed from the factory to avoid being a nuisance and built tight above the ground. They shall be properly ventilated and screened and shall be kept clean. The doors shall be self-closing. The vault or receptacle shall be located and constructed so that there will be no danger of polluting wells or other water supplies used for human consumption. Outside closets shall be kept thoroughly disinfected and shall be cleaned out or discontinued before the contents reach the ground level.

Regulation 124.

Adequate lavatories shall be provided for each sex. They shall be convenient to the toilets. They shall be provided with running water,

soap, and sanitary or individual towels. Lavatory facilities shall be not less than one bowl with faucet for every twenty employees.

Regulation 125.

One employee shall be charged with the duty of keeping the cannery in proper sanitary condition at all times.

Regulation 126.

All canneries shall be inspected by the local or county health officer or his deputy and when inspected, must be scored according to the score card which is a part of these regulations.

Regulation 127.

These regulations must be posted in a conspicuous place in every cannery.

**REGULATIONS GOVERNING FOOD ESTABLISHMENTS AT THE
STATE AND COUNTY FAIRS**

Regulation 65.

(a) That prepared foodstuffs, such as bakery goods, confectionery and any fruits that do not have to be skinned, pared or peeled before using, such as apples, pears, peaches, etc.; meat products, such as veal loaf, pickled pigs' feet, mince meat, boiled ham or other food prepared for eating, and subject to the attack of worms or flies, and all fresh meats, whether large or small cuts, chopped meats, hamburger, sausage, liver, heart, and all other edible meats, shall not be displayed for sale unless protected from flies, dust, dirt, and all other foreign or injurious contamination, by suitable coverings of glass, wood or metal.

(b) That all kitchen sinks be connected with the sewer or cesspool or that all kitchens be provided with covered barrels for the dish and waste water and also that they be supplied with covered refuse cans, and provision made for their removal at least once each day.

(c) All establishments not equipped with suitable and properly maintained facilities for washing cups, glasses, spoons, dishes, and other receptacles serving food or drink to the public, shall provide and use such paper receptacles, spoons, forks, and plates as may be necessary. Any establishment not equipped with running water shall be subject to this regulation.

GENERAL REGULATIONS

Regulation 66. Inspectors.

Each local, county or reservation health officer is constituted the Food and Drug Inspector for his respective district and must make such regular and special inspections and take such samples as may be directed by the regulations and orders of the State Board of Health. (Section 2591 Revised Codes of Montana.)

Regulation 67. Inspections.

Each meat market, restaurant, lunch counter, hotel kitchen and

dining room, manufacturing bakery, manufacturing confectionery, cannery, grocery store, soda fountain, ice cream parlor, soft drink establishment and every other place where food or food products are handled for sale or shipment, sold or offered for sale, must be inspected by the local, county or reservation health officer, or his deputy, of the district in which such place is located at least once in each month. Special inspection must be made by the local, county or reservation health officer or his deputy whenever called for by the Secretary of the State Board of Health.

Regulation 68. Method of Inspecting.

A score card printed in proper blank form will be supplied for the purpose of designating conditions found on inspection. The health officer must carefully inspect every part of the place where food products are handled and must fill in the blank spaces on the score card in accordance with conditions found to exist. Under the title "Remarks," the health officer must designate an insanitary condition found to exist which is not noted on the score card. After the inspection is completed, the card must be signed by the proprietor or person in charge of the premises in whose presence the inspection was made.

Regulation 69. Weekly Reports.

On Saturday of each week the health officer must forward by first class mail to the Secretary of the State Board of Health the score cards made out by him during the week.

Regulation 70. Special Reports.

Should the health officer on inspection find any place where food products are handled in his district to be in a markedly insanitary condition, he shall make an immediate report, by first class mail, relative to such conditions, to the Secretary of the State Board of Health; and if in his opinion the exigencies of the case warrant such action he shall notify the Secretary of the State Board of Health by telegraph or telephone.

Regulation 71. Monthly Report.

On or before the fifth day of each month each local, county or reservation health officer must make a full report of his actions relative to the enforcement of the Pure Food and Drug Act during the previous month. The report must be made on a blank form supplied by the State Board of Health at Helena within the limit of time specified above. This report must be accompanied by an itemized and duly acknowledged statement, together with receipt therefor, of all expenditures made by him in the purchase of samples for examination during the previous month.

Regulation 72. Collection of Samples.

Each local, county or reservation health officer shall purchase samples of food products as directed by the Secretary of the State Board of Health.

The Secretary of the State Board of Health shall in all instances

indicate the size and amount of the sample to be purchased, which samples shall be sealed and shipped in accordance with instructions given by the Secretary of the State Board of Health.

Each health officer purchasing samples on order from the Secretary of the State Board of Health shall keep an itemized account of expenditures and forward the same with receipts to the State Board of Health, in order that such officers may be reimbursed.

Regulation 73. Inspection of Food Products.

The local county or reservation health officer must make regular inspection at least once in each month of all places in his district where raw food products are handled for sale or shipment and if he shall find any food product to be in an unsound, contaminated, polluted, or unwholesome condition, he shall immediately call upon the nearest police officer to seize such food product and present the same before the nearest police judge or justice of the peace for action in accordance with the provisions of Section 2536, Revised Codes of Montana.

Regulation 74. Filing Complaints.

When called upon to do so by the Secretary of the State Board of Health, each local, county or reservation health officer is required to file a complaint, in the name of the State Board of Health of Montana, with the county attorney of his respective county against any person who shall violate any provision of the Public Health Law of the State of Montana, the Pure Food and Drug Law of said State or any rule or regulation established and promulgated by the State Board of Health, under the provision of any law of this State.

Regulation 75. Method of Analysis.

The methods of analysis employed must be those prescribed by the Association of Official Agricultural Chemists and the United States Pharmacopoeia.

Regulation 76. Publication of Analyses.

The result of analyses of food products and the findings of local, county or state health officers relative to foods and places where foods are handled shall be published in the bulletin of the Montana State Board of Health and in such other places as the State Board of Health may direct.

Regulation 77. Standards of Drugs.

(a) A drug bearing a name recognized in the United States Pharmacopoeia or National Formulary, without any further statement respecting its character, shall be required to conform in strength, quality and purity to the standards prescribed or indicated for a drug of the same name recognized in the United States Pharmacopoeia or National Formulary official at the time.

(b) A drug bearing a name recognized in the United States Pharmacopoeia or National Formulary, and branded to show a different standard of strength, quality or purity shall not be regarded as adulterated if it conforms to its declared standard.

Regulation 78.—Standard of Foods.

Any food product which shall fail to reach the minimum standard adopted by the State Board of Health or which has been handled in any way in violation of these rules and regulations shall be deemed impure or adulterated.

Regulation 79. Food Displays.

The display of food products on sidewalks or in the open is prohibited unless such products are enclosed in a showcase or similar device which will protect the same from flies, dust, or other contamination, provided that food products that necessarily have to be peeled, pared, or cooked before they are fit for consumption may be displayed on sidewalks, or in the open, provided that in such display the bottom of the containers shall be at least eighteen inches above the surface of the sidewalk or ground; but the sidewalk display of meat products is prohibited.

No person shall expose, sell or offer for sale any fresh meats, bread stuffs, pies, cakes, pastry, candy or confectionery on any showcase, counter, table, or rack, alley or thoroughfare except that they be covered so as to thoroughly protect them from dust, dirt, flies, and other extraneous matter.

Regulation 80. Coloring, Powdering, Coating and Staining.

(a) Only harmless colors may be used in food products. Harmless colors are defined as certain dyes, or dyes which contain no arsenic or other poisonous or deleterious ingredients, which may render the food injurious to health, and no dye shall be used so as to conceal damage or inferiority.

(b) The use is hereby permitted in foodstuffs of any coal tar colors the use of which is or may be authorized by the Federal Food and Drug Administration.

(c) The reduction of a substance to a powder to conceal inferiority in character is prohibited.

(d) The term "powdered" means the application of any powdered substance to the exterior portion of articles of food, or the reduction of a substance to a powder.

(e) The term "coated" means the application of any substance to the exterior portion of a food product.

(f) The term "stain" includes any change produced by the addition of any substance to the exterior portion of foods which in any way alters their natural tint.

Regulation 81. Natural Poisons or Deleterious Ingredients.

Any food product which contains naturally a poisonous or deleterious ingredient which does not come within the provisions of the Food and Drug Act, approved March 8, 1911, except when the presence of such ingredient is due to filth, putrescence, or decomposition.

Regulation 82. External Application of Preservatives.

(a) Poisonous or deleterious preservatives shall be of a character which shall not permit the permeation of any of the preservatives to the interior, or any portion of the interior, of the product.

(b) When these products are ready for consumption, if any portion of the added preservative shall have penetrated the food product, such food products shall then be subject to the regulations for food products in general.

(c) The preservative must be of such a character that until removed, the food products are inedible.

Regulation 83. Preservatives.

It having been determined by the Federal Food and Drug Administration that benzoate of soda mixed with food is not deleterious or poisonous or is not injurious to health, no objection will be raised by this Board to the use in food of benzoate of soda; provided, that each container or package of said food is plainly labeled to show the presence and amount of benzoate of soda, and provided, that no preservative whatsoever shall be used in milk or cream.

MISBRANDING

Regulation 84. Label.

(a) The term "label" includes any legend and descriptive matter or design, appearing upon the article or its container, and also includes circulars, pamphlets, and the like which are packed and go with the article to the purchaser, and such letters, circulars, and pamphlets to which reference is made either on the label attached to the package or on the package itself.

(1) The term "package" as used in this regulation shall mean any box, carton, sack, or other container in which food or drugs are packed for sale, and may be either covered, open, or slatted.

(b) The principal label shall consist, first, of all information which the Food and Drug Act specifically requires, to-wit: The name of the place of manufacturer in the case of food compounds or mixtures sold under a distinctive name; statements which show that the articles are compounds, mixtures or blends; the words "compound," "mixture," or "blend," and the words designating substances or their derivatives and proportions, required to be named in the case of foods and drugs. All this information shall appear upon the principal label, and should have no intervening descriptive or explanatory reading matter. Second, if the name of the manufacturer and the place of manufacture are given, they should also appear upon the principal label. Third, preferably upon the principal label, in conjunction with the name of the substance, such phrase as "artificially colored" or any other descriptive phrase necessary to be announced should be conspicuously displayed. Fourth, elsewhere upon the principal label other matter may appear in the discretion of the manufacturer. If the contents are stated in terms of

weight or measure, such statement should appear upon the principal label and must be couched in plain terms ,as required by Regulation 96.

(c) If the principal label is in a foreign language, all information required by law and such other information as indicated above in (b) shall appear upon it in English. Besides the principal label in the language of the country of production, there may be also one or more other labels, if desired, in other languages, but none of them more prominent than the principal label, and these other labels must bear the information required by law, but not necessarily in English. The size of the type used to declare the information required by the Act shall not be smaller than 8-point (brevier) capitals; provided, that in case the size of the package will not permit the use of 8-point type, the size of the type may be reduced proportionately.

(d) Descriptive matter upon the label shall be free from any statement ,design, or device regarding the article or the ingredients or substances contained therein, or quality thereof, or place of origin, which is false or misleading in any particular. The term "design" or "device" applies to pictorial matter of every description, and to abbreviations, character, or signs for weights, measures, or names of substances.

(e) An article containing more than one food product or active medicinal agent is misbranded if named after a single constituent.

In the case of drugs the nomenclature employed by the United States Pharmacopoeia and the National Formulary shall obtain.

(f) The use of any false or misleading statement, design or device appearing upon any part of the label shall not be justified by any statement given as the opinion of an expert or other person, nor by any descriptive matter explaining the use of the false or misleading statement given as the opinion of an expert or other person, nor by any descriptive matter explaining the use of the false or misleading statement, design or device.

Regulation 85. Name and Address of Manufacturer.

(a) The name of the manufacturer or producer, or the place where manufactured except in case of mixtures and compounds having a distinctive name, need not be given upon the label, but if given, must be the true name and the true place. The words "packed for_____" , "distributed by_____" , or some equivalent phrase, shall be added to the label in case the name which appears upon the label is not that of the actual manufacturer or producer, or the name of the place not the actual place of manufacturer or production.

(b) When a person, firm or corporation actually manufactures or produces an article of food or drug in two or more places, the actual place of manufacture or production of each particular package need not be stated on the label except when in the opinion of the State Board of Health the mention of any such place, to the exclusion of the others, misleads the public.

Regulation 86. Character of Name.

(a) A simple or unmixed food or drug not bearing a distinctive name should be designated by its common name in the English language; or if a drug by any name recognized in the United States Pharmacopoeia or National Formulary, no further description of the components or qualities is required, except as to content of alcohol, morphine, etc.

(b) The use of geographical names shall not be permitted in connection with a food or drug product not manufactured or produced in that place, when such name indicates that the article was manufactured or produced in that place.

(c) The use of a geographical name in connection with a food or drugs product will not be deemed a misbranding when by reason of long usage it has come to represent a generic term and is used to indicate a style, type, or brand; but in all such cases the state or territory where any such article is manufactured or produced shall be stated upon the principal label.

(d) A foreign name which is recognized as distinctive of a product of a foreign country shall not be used upon an article of domestic origin, except as an indication of the type or style of quality or manufacture, and then only when so qualified that it can not be offered for sale under the name of a foreign article.

Regulation 87. Distinctive Name.

(a) A "distinctive name" is a trade, arbitrary, or fancy name which clearly distinguishes a food product, mixture or compound from any other food product, mixture or compound.

(b) A distinctive name shall not be one representing any single constituent of a mixture or compound.

(c) A distinctive name shall not misrepresent any property or quality of a mixture or compound.

(d) A distinctive name shall give no false indication of origin, character, or place of manufacture, nor lead the purchaser to suppose that it is any other food or drug product.

Regulation 88. Compounds, Imitations, or Blends Without Distinctive Name.

(a) The term "blend" applies to a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only.

(b) If any age is stated, it shall not be that of a single one of its constituents but shall be the average of all constituents in their respective proportions.

(c) Coloring and flavoring cannot be used for increasing the weight or bulk of a blend.

(d) In order that colors or flavors may not increase the volume or weight of a blend, they are not to be used in quantities exceeding 1 pound to 800 pounds of the blend.

(e) A color or flavor cannot be used to imitate any natural product or any other product of recognized name and quality.

(f) The term "imitation" applies to any mixture or compound which is a counterfeit or fraudulent simulation of any article of food or drug.

Regulation 89. Articles Without a Label.

It is prohibited to sell or offer for sale a food or drug product bearing no label upon the package or no descriptive matter whatever connected with it, either by design, device or otherwise, if said product be an imitation or offered for sale under the name of another article.

Regulation 90. Proper Branding Not a Complete Guaranty.

Packages which are correctly branded according to character or contents, place of manufacture, name of manufacturer, or otherwise, may be adulterated and hence not entitled to be sold in this State.

Regulation 91. Incompleteness of Branding.

A compound shall be deemed misbranded if the label be incomplete as to the names of the required ingredients. A simple product does not require any further statement than the name or distinctive name thereof, except as provided in Regulation 84, Paragraph (b), and Regulation 95.

Regulation 92. Substitution.

(a) When a substance of a recognized quality commonly used in the preparation of a food or drug product is replaced by another substance not injurious or deleterious to health, the name of the substituted substance shall appear upon the label.

(b) When any substance which does not reduce, lower or injuriously affect its quality or strength, is added to a food or drug product, other than that necessary to its manufacture or refining, the label shall bear a statement to that effect.

Regulation 93. Waste Materials.

When an article is made up of refuse materials, fragments, or trimmings, the use of the name of the substance from which they are derived, unless accompanied by a statement to that effect, shall be deemed a misbranding. Packages of such materials may be labeled "pieces," "stems," "trimmings," or with some similar appellation.

Regulation 94. Mixtures or Compounds With Distinctive Names.

(a) The terms "mixtures" and "compounds" are interchangeable and indicate the results of putting together two or more food products.

(b) These mixtures or compounds shall not be imitations of other articles, whether simple, mixed, or compounded, or offered for sale under the name of other articles. They shall bear a distinctive name and the name of the place where the mixture or compound has been manufactured or produced.

(c) If the name of the place be one which is found in different

states, territories or countries, the name of the state, territory, or country, as well as the name of the place, must be stated.

Regulation 95. Substances Named in Drugs or Foods.

(a) The term "alcohol" is defined to mean common ethyl alcohol. No other kind of alcohol is permissible in the manufacture of drugs except as specified in the United States Pharmacopoeia or National Formulary.

(b) The words alcohol, morphine, opium, etc., and the quantities and proportions thereof, shall be printed in letters corresponding in size with those prescribed in Regulation 84, Paragraph (c).

(c) A drug or food product except in respect to alcohol, is misbranded in case it fails to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, heroin, cocaine, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein.

(d) A statement of the maximum quantity or proportion of any such substance present will meet the requirements, provided the maximum stated does not vary materially from the average quantity or proportion. In case the actual quantity or proportion is stated it shall be the average quantity or proportion with the variations noted in Regulation 96.

(f) The following are the principal derivatives and preparations made from the articles which are required to be named upon the label: Alcohol, Ethyl: (Cologne Spirits, Grain Alcohol, Rectified Spirits, Spirits and Spirits of Wine.)

Derivatives—Aldehyde, Ether, Ethyl Acetate, Ethyl Nitrate and Paraldehyde.

Preparations Containing Alcohol—Bitters, Brandies, Cordials, Elixirs, Essences, Fluid Extracts, Spirits, Syrups, Tinctures, Tonics, Whiskies and Wines.

Morphine, Alkaloid:

Derivatives—Apomorphine, Dionine, Peronine, Morphine, Acetate, Hydrochloride, Sulphate and other Salts of Morphine.

Preparations containing morphine or derivatives of morphine—

Bougies, Catarrh Snuff, Chlorodyne, Compound Powder of Morphine, Crayons, Elixirs, Granules, Pills, Solutions, Syrups, Suppositories, Tablets, Triturates and Troches.

Opium, Gum:

Derivatives—Codeine, Alkaloid, Hydrochloride, Phosphate, Sulphate and other Salts of Codeine.

Preparations of Opium—Extracts, Denarcotized Opium, Granulated Opium, and Powdered Opium, Bougies, Brown Mixture, Carminative Mixtures, Crayons, Dover's Powder, Elixirs, Liniments, Ointments, Paregoric, Pills, Plasters, Syrups, Suppositories, Tablets, Tinctures; Troches, Vinegars and Wines.

Preparations containing Codeine or its salts—Elixirs, Pills, Syrups and Tablets.

Cocaine, Alkoloid:

Derivatives—Cocaine Hydrochloride, Oleate and other salts.

Preparations containing Cocaine or Salts of Cocaine—Cocleaves, Catarrh Powders Elixirs, Extracts, Infusions of Coca, Ointments, Paste(Pencils, Pills, Solutions, Syrups, Tablets, Tinctures, Troches and Wines.

Heroin:

Preparations containing Heroin—Syrups, Elixirs, Pills, and Tablets.

Alpha and Beta Eucaine:

Preparations—Mixtures, Ointments, Powders and Solutions.

Chloroform:

Preparations containing chloroform—Chloranodyne, Elixirs, Emulsions, Liniments, Mixtures, Spirits and Syrups.

Cannabis Indica:

Preparations of Cannabis Indica—Corn Remedies, Extracts, Mixtures, Pills, Powders, Tablets and Tinctures.

Chloral Hydrate: (Chloral, U. S. Pharmacopoeia, Twelfth Revision.)

Derivatives—Chloral Acetophenonoxim, Chloral Alcoholate, Chloranamide, Chloralimide, Chloral Orthoform, Chloralose, Dormiol. Hypnal and Uraline.

Preparations containing Chloral Hydrate or its Derivatives—Chloral Camphorate, Elixirs, Liniments, Mixtures, Ointments, Suppositories, Syrups and Tablets.

Acetanilide (Antifebrine, Phenylacetamide):

Derivatives—Acetphenetidine, Citrophen, Diacetanilide, Lactophenin, Methoxy-Acetanilide, Methylacetanilide, Para-Iodoacetanilide and Phenacetine.

Preparations containing Acetanilide or Derivatives—Analgesics, Anti-neuralgics, Cachets, Capsules, Cold Remedies, Elixirs, Granular Effervescing Salts, Headache Powders, Mixtures, Pain Remedies, Pills and Tablets.

(g) In declaring the quantity or proportion of any of the specified substances the names by which they are designated in the Act shall be used, and in declaring the quantity or proportion of derivatives of any of the specified substances, in addition to the trade name of the deriva-

tives, the name of the specified substance shall also be stated, so as to indicate clearly that the product is a derivative of the particular specified substance.

(Federal Bulletin Aug. 7, 1922, Circular 21).

Regulation 96. Statement of Weight, Measure, or Count.

(a) Except as otherwise provided in these regulations, a package of food shall be plainly and conspicuously marked with the quantity of the contents in terms of weight, measure, or numerical count on the outside of the container, or on the covering of the package usually delivered to the consumer.

(b) The quantity of the contents so marked shall be the quantity of the food in the package.

(c) The statement of the quantity of the contents shall be plain and conspicuous, shall not be a part of or obscured by any legend or design, and shall be so placed and in such characters as to be readily seen and clearly legible when the size of the package and the circumstances under which it is ordinarily examined by purchasers or consumers are taken into consideration.

(d) The quantity of the contents when stated by weight or measure shall be marked in terms of the largest unit contained in the package, except that, in the case of an article with respect to which there exists a definite trade custom for marking the quantity of the article in terms of fractional parts of larger units, it may be so marked in accordance with the custom. Common fractions shall be reduced to their lowest terms; fractions expressed as decimals shall be preceded by zero and shall be carried out to not more than two places.

(e) Statement of weight shall be in terms of the avoirdupois pound and ounce; statement of liquid measure shall be in terms of the United States gallon of 231 cubic inches and its customary subdivisions, i. e., gallons, quarts, pints, or fluid ounces, and shall express the volume of the liquid at 68 degrees F. (20 degrees C.); statement of dry measure shall be in terms of the United States standard bushel of 2,150.42 cubic inches and its customary subdivisions, i.e., bushels, pecks, quarts, or pints, or, in the case of articles in barrels, in terms of the United States standard barrel and its lawful subdivisions, i. e., third, half, or three-quarters barrel: PROVIDED, That statement of quantity may be in terms of kilograms or grams. Statement of metric measure shall be in terms of liters or cubic centimeters. Other terms of metric weight or measure may be used if it appears that a definite trade custom exists for marking articles with such other terms and the articles are marked in accordance with the custom.

(f) The quantity of solids shall be stated in terms of weight and the quantity of liquids in terms of measure, except that in case of an article in respect to which there exists a definite trade custom otherwise the statement may be in terms of weight or measure in accordance with such custom. The quantity of viscous semi-solid foods or of mixtures of solids and liquids may be stated either by weight or measure, but the statement shall be definite and shall indicate whether the quantity is

expressed in terms of weight or measure, as, for example, "weight 12 oz." or "12 oz. avoirdupois," "volume 12 ounces" or "12 fluid ounces."

(g) The quantity of the contents shall be stated in terms of weight or measure unless the package is marked by numerical count and such numerical count gives accurate information as to the quantity of the food in the package.

(h) The quantity of the contents may be stated in terms of minimum weight, minimum measure, or minimum count, for example, "minimum weight 10 oz.," "minimum volume 1 gallon," or "not less than 4 fl. oz.," but in such case the statement must approximate the actual quantity and there shall be no tolerance below the stated minimum.

(i) The following tolerances and variations from the quantity of the contents marked on the package shall be allowed:

(1) Discrepancies due exclusively to errors in weighing, measuring, or counting which occur in packing conducted in compliance with good commercial practice.

(2) Discrepancies due exclusively to differences in the capacity of bottles and similar containers, resulting solely from unavoidable difficulties in manufacturing such bottles or containers so as to be of uniform capacity: PROVIDED, That no greater tolerance shall be allowed in case of bottles or similar containers which because of their design cannot be made of approximately uniform capacity than is allowed in case of bottle or similar containers which can be manufactured so as to be approximately uniform capacity.

(3) Discrepancies in weight or measure due exclusively to difference in atmospheric conditions in various places and which unavoidably result from the ordinary and customary exposure of the packages to evaporation or to the absorption of water.

Discrepancies under classes (1) and (2) of this paragraph shall be as often above as below the marked quantity. The reasonableness of discrepancies under class (3) of this paragraph will be determined on the facts in each case.

(j) A package containing one-half avoirdupois ounce of food or less is "small" and shall be exempt from marking in terms of weight.

(k) A package containing one fluid ounce of food or less is "small" and shall be exempt from marking in terms of measure.

(1) When a package is not required by paragraph (g) to be marked in terms of either weight or measure and the units of food therein are six or less, it shall, for the purpose of this regulation, be deemed "small" and shall be exempt from marking in terms of numerical count, (See Section 2582, Revised Codes of Montana)

Regulation 98. Egg Substitutes.

(a) On and after the fifteenth day of April, 1918, the following regulations shall be in force governing the sale of so-called egg substitutes in the State of Montana:

(b) Label: The term "egg substitutes" shall be applied only to products which possess, within a reasonable degree, the properties of eggs, both in respect to food value and baking qualities.

(c) The term "egg powder" or "powdered eggs" shall be applied only to powdered, dried or desiccated eggs.

(d) Compounds or mixtures offered for sale as substitutes for eggs must bear a coined or distinctive name. The word "egg" shall not be used or appear as a part of the coined or distinctive trade name given the product.

(e) The use of artificial coloring in so-called egg substitutes must necessarily conceal inferiority to make the article appear better or of greater value than it really is. The baked product would likewise be adulterated within the meaning of the Montana Food and Drug Act. Therefore, the use of artificial coloring in such compounds is prohibited.

Regulation 99. Use of Artificial Coloring on Meat Products.

Use of synthetic or fabricated casing colored with artificial coloring or of natural casings colored with artificial coloring is permitted for use as containers of meat or meat products only when such synthetic or fabricated colored casings are colored, stamped, marked, branded, or otherwise treated in accordance with the regulations of the Federal Bureau of Animal Industry.

Regulation 100. Cereal and Water in Sausages.

Prepared sausage meat shall be comminuted meat from cattle, veal, sheep, or swine, or a mixture of such meats either fresh, salted, pickled or smoked, with or without added salt, sugar, spices, and with or without the addition of edible animal fats. Prepared sausage shall be any product made from prepared sausage meat for distribution and sale.

(a) Water or ice shall not be added to prepared sausage meat except for the purpose of facilitating grinding, chopping and mixing in which case the added water or ice shall not exceed 10 per cent in the finished product.

(b) Prepared sausage products may contain cereal, vegetable starch, vegetable flour, milk or its derivatives or analogous substance not to exceed 3½ per cent individually or collectively, provided such products shall be marked, branded, stamped or have printed thereon the specific name of each such added ingredient in accordance with the regulations of the Federal Bureau of Animal Industry.

(c) Prepared sausage or prepared sausage meat shall be construed as adulterated if it contains any added antiseptic or preservative substance other than common salt, salt peter, cane sugar, beet sugar, vinegar, spices, or in smoked products, the natural products of the smoking process. Further, it shall be considered as adulterated if it contains any substance other than meat or meat products, except as provided by this regulation.

Regulation 101. Cereal in Meat Products Other Than Sausage.

(a) Meat food products shall be any articles of food or any articles that enter into the composition of food which are not prepared meats but which are derived or prepared, in whole or in part, by a process of manufacture from any portion of the carcasses of cattle, swine, sheep or goats, if such manufactured portion be all, or a considerable and definite portion of the article, except such preparations as are for medicinal purposes only.

(b) Meat by-products shall be any properly dressed edible parts, other than meat, which have been derived from one or more carcasses of cattle, swine, sheep, or goats, sufficiently mature and in good health at the time of slaughter.

(c) Meat loaf shall be the product consisting of a mixture of comminuted meat with or without spice, cereals, milk or eggs, pressed into the form of a loaf and cooked.

(d) Brawn shall be the product made from chopped or ground and cooked edible parts of swine, chiefly from the head, feet or legs, with or without the chopped or ground tongue.

(3) Headcheese, Mock Brawn, shall be the product made from chopped or ground, cooked edible parts of meat or meat by-products.

(f) Souse shall be the product consisting of meat or meat by-products; after cooking the mixture is commonly packed into containers and covered with vinegar.

(g) Scrapple shall be the product consisting of meat or meat by-products mixed with corn meal or the flour of grain and cooked with seasoning materials after which it is poured into a mold.

Regulation 102. Sweet Oil Defined.

Sweet oil is hereby defined to be olive oil and if after June 1, 1919, any other oil than olive oil is sold or offered for sale as "sweet oil" such article shall be deemed as misbranded and adulterated within the meaning of the provisions of the Food and Drug Act of Montana.

Regulation 103. The Use of Saccharin in Foods.

The use of saccharin in foods is prohibited. (See Section 2579, Revised Codes of Montana.) Preparations intended for the cure, prevention of disease shall be excepted, provided that they are labeled to show their true purpose and the presence of saccharin is plainly declared on the principal label.

Regulation 104. Use of Chicory and Coffee Substitutes.

Public eating places serving a beverage made from chicory or coffee substitutes and coffee, shall post a placard stating such fact in plain and conspicuous terms such as "We serve compound beverage made from chicory and coffee" or "cereal and coffee" as the case may be.

Regulation 105. Prohibiting Bakers, Confectioner or Other Food Manufacturers from Opening Food Manufacturing Plants in Basements or Underground Rooms.

On and after April 15, 1922, no person, persons, firm or corporation shall establish or open any manufacturing bakery, manufacturing confectionery or other food manufacturing plant in any basement room or rooms where the floor of such room or rooms is more than three feet below the surface of the ground except upon written approval by the State Board of Health.

Regulation 128. Spray Residues.

On and after September 27, 1933, the sale of, or possession with intent to sell in the State of Montana, fruits and vegetables bearing spray residue in excess of the Federal tolerance, is hereby prohibited. Fruits or vegetables that have been sprayed, being shipped, trucked, or otherwise transported into the State of Montana for sale, shall be refused admittance or held at point of entry until proper examination is made, unless accompanied by a certificate showing the said fruits or vegetables have been properly washed or otherwise treated to remove any spray residue to within the limits established by the U. S. Food and Drug Administration.

In the case of rail shipments, or shipments made by auto truck or other conveyance, of fruits or vegetables, the export form of certificate issued by the U. S. Bureau of Agricultural Economics in cooperation with the several states, will be accepted as sufficient evidence to admit such fruits or vegetables for sale in Montana.

Shipments by rail, auto truck or other similar conveyance, not accompanied by such Federal-State certificate, may be admitted for sale in Montana if accompanied by a certificate issued and signed by any duly authorized officer of the state of origin, showing that said fruit or vegetables conform in all respects to the Federal requirements as to spray residue. Such state certificate shall show the name of the grower or packer and/or lot numbers, and the name and address of consignor and consignee, and any other identifying marks or numbers on the boxes, crates or lugs, necessary to properly identify the shipment. When shipments are made by truck or other similar conveyance, said certificate shall also show the type and state license numbers of the truck or conveyance, name of driver and owner, and such other data as may be necessary to identify the fruit or vegetables with such certificate.

In the case of shipment by truck or other similar conveyance, the driver of such conveyance shall submit the shipment of fruit or vegetables, and the certificate, for inspection to the Horticultural Inspector in charge at one of the following designated ports of entry of the State of Montana, namely, Troy, Noxon, Taft, Monida, West Yellowstone, Wyola and Warren who will give a receipt for the Certificate, which receipt will be authorization for the sale of the fruit or vegetables. The certificate must be sent to the State Board of Health at Helena by the inspector in charge at the port of entry, who is hereby designated a Special Agent for the State Board of Health.

In the case of carlot shipments, the certificate must be exhibited by the consignee on demand of any local or state officer.

The term "vegetables" in this regulation does not include those commonly known as root vegetables or tubers.

Persons making sales of fruit or vegetables in violation of this regulation will be subject to prosecution.

Regulation 130.

(a) All commercially prepared custard or cream-filled bakery products shall be made under clean conditions.

(b) Only pasteurized milk or cream shall be used in the preparation of custard and cream-filled bakery products.

(c) The temperature and time of heating of the mix shall be as a minimum the equivalent of a temperature of 142 degrees F. for a period of not less than thirty minutes.

(d) Upon completion of the cooking of the mix, it shall be immediately transferred into previously sterilized containers, properly covered, and chilled without delay to 50 degrees F. or below, and maintained at such temperature until used.

(e) The filling apparatus shall be of suitable impervious material and shall be cleaned and properly sterilized before each use. No cloth filling bags shall be used.

(f) The hands of employees engaged in the preparation of custard and cream-filled bakery products shall not touch the custards or cream fillings.

(g) No pastries containing custard or cream filling shall be displayed in windows or showcases, except those that are chilled to 50 degrees F. or below.

(h) Pastries containing custard or cream filling shall not be sold or delivered from vehicles, except such vehicles be equipped with a refrigerated compartment maintained at a temperature of 50 degrees F. or below; provided, that such pastries may be delivered from manufacturers to retail dealers or consumers by special trip without continuous refrigeration when it is possible to complete such delivery within two hours elapsed time.

Regulation 131.

(a) Hamburger, hamburger steak, hamburg steak, is comminuted fresh beef, with or without addition of suet and/or of seasoning; provided, however, that the total fat content shall not exceed 20 per cent and that no fat other than suet shall be incorporated in the hamburger.

(b) Sausage, pork sausage, country style sausage, is the product made from ground or comminuted fresh pork with or without the addition of pork fat and/or seasoning; provided that no fat other than pork fat shall be incorporated in the sausage.

(c) Pork and veal sausage or pork and beef sausage, as the case may be, shall be labeled and shall be the ground or comminuted product

made from a mixture of fresh pork with veal or beef; with or without the addition of suet and/or pork fat and/or of seasoning; provided, however, that the total fat content shall not exceed 50 per cent. Where "pork and veal" or "pork and beef" sausage is sold at retail a card shall be conspicuously displayed at every store room, stand, booth, wagon or other place where such sausage is sold, which shall bear the words, "Pork and Veal Sausage Sold Here," or "Pork and Beef Sausage Sold Here.,, as the case may be. This card shall be white, ten by fourteen inches in size and the lettering specified above shall be in Roman or Gothic letters not less in height than two inches.

(d) Hamburger, sausage, pork and veal, or pork and beef, sausage shall be deemed to be adulterated:

(1) If it contain any added cereal, vegetable flour, starch, dried milk powder or cracklings.

(2) If it contain any added coloring matter.

(3) If it contain any added water.

(4) If any diseased, decomposed, putrid or rotten animal or vegetable substance or any lungs or cow's udders enter into its composition or be found therein.

(5) If it contain any added antiseptic or preservative substance except common salt, saltpeter, cane sugar, beet sugar, vinegar or spices.

Regulation 132.

Because of the extremely toxic effects of metallic cadmium as dissolved in the acids normally present in certain foodstuffs, and because the compounds so formed have in certain instances resulted in acute poisoning, the manufacture or sale of food containers which are cadmium plated is hereby prohibited.

Regulation 133.

(a) The sale of unwrapped bakery food products shall be prohibited, except when sold by the manufacturer directly to the consumer on the premises, or in the plant where such bakery food products are produced.

(b) Adequate wrapping shall be such as to protect all bakery food products from flies or other insects, dust, dirt, or any extraneous material, or possible contamination by human hands.

Resolution 1.

Because of the extreme poisonous properties of sodium or potassium cyanide or similar compounds, their use is expressly prohibited in any cleansing preparation, silver polish, or other compound to be used in cleaning or polishing any utensil used in serving food or drink for human consumption.

Resolution 2.

No person, persons, firm or corporation should sell, offer for sale, or dispense for human consumption any dinitrophenol or any of its compounds, insomers or derivatives.

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